

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

NATIVE AMERICAN INDUSTRIAL	:	
SOLUTIONS LLC,	:	
Plaintiff and Counterclaim	:	
Defendant	:	No. 1:17-cv-00677
	:	
v.	:	(Judge Kane)
	:	
ADVANCED FACILITY MANAGEMENT	:	
SERVICES, INC.,	:	
Defendant and Counterclaim	:	
Plaintiff:	:	

ORDER

AND NOW, on this 10th day of January 2019, upon consideration of Defendant's motion for summary judgment as to Count I of Plaintiff's complaint (Doc. No. 19), and Plaintiff's motion for summary judgment as to Count I of Plaintiff's complaint (Doc. No. 17), and in accordance with the Memorandum issued concurrently with this Order, **IT IS ORDERED**

THAT:

1. Defendant's motion for summary judgment (Doc. No. 19) is **GRANTED** as to Count I of Plaintiff's complaint (Doc. No. 1-1), and the entry of judgment in favor of Defendant on that count is deferred until the conclusion of the above-captioned action;
2. Plaintiff's motion for summary judgment (Doc. No. 17), is **DENIED** as to Count I of Plaintiff's Complaint (Doc. No. 1-1);
3. Plaintiff and Defendant are directed to submit, within fourteen (14) days of the date of this Order, briefs specifically addressing the impact of the Memorandum accompanying this Order on Count I of Plaintiff's complaint (Doc. No. 1-1) and Defendant's counterclaim (Doc. No. 4);
4. Plaintiff and Defendant are directed file a responsive brief within fourteen (14) days after service of their respective briefs; and

5. Plaintiff and Defendant may file a reply brief within seven (7) days after the service of their respective responsive briefs.

s/ Yvette Kane

Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania